

Daily Digest

HIGHLIGHTS:

Senate passed S. 150, Internet Tax Non-Discrimination Act.

Senate

Chamber Action

Routine Proceedings, pages S4625–S4726

Measures Introduced: Fifteen bills and three resolutions were introduced, as follows: S. 2360–2374, S.J. Res. 36, and S. Res. 346–347. **Pages S4692–93**

Measures Reported:

S. 1486, to amend the Toxic Substances Control Act and the Federal Insecticide, Fungicide, and Rodenticide Act to implement the Stockholm Convention on Persistent Organic Pollutants, the Protocol on Persistent Organic Pollutants to the Convention on Long-Range Transboundary Air Pollution, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, with an amendment in the nature of a substitute. (S. Rept. No. 108–256)

H.R. 1561, to amend title 35, United States Code, with respect to patent fees.

S. Res. 332, observing the tenth anniversary of the Rwandan Genocide of 1994.

S. Res. 334, designating May 2004 as National Electrical Safety Month.

S. Res. 344, welcoming the Prime Minister of Singapore on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its support in the reconstruction of Iraq and its strong cooperation with the United States in the campaign against terrorism, and reaffirming the commitment of the Senate to the continued expansion of friendship and cooperation between the United States and Singapore.

S. 1932, to provide criminal penalties for unauthorized recording of motion pictures in a motion picture exhibition facility, to provide criminal and civil penalties for unauthorized distribution of commercial prerelease copyrighted works, with an amendment in the nature of a substitute.

S. 2092, to address the participation of Taiwan in the World Health Organization, with an amendment in the nature of a substitute.

S. 2107, to authorize an annual appropriations of \$10,000,000 for mental health courts through fiscal year 2009.

S. 2192, to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises.

S. 2237, to amend chapter 5 of title 17, United States Code, to authorize civil copyright enforcement by the Attorney General.

S. 2264, to require a report on the conflict in Uganda.

S. 2292, to require a report on acts of anti-Semitism around the world, with amendments.

S.J. Res. 33, expressing support for freedom in Hong Kong, with an amendment in the nature of a substitute and with an amended preamble.

S. Con. Res. 100, celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country. **Pages S4686–87**

Measures Passed:

Internet Tax Non-discrimination Act: By 93 yeas to 3 nays (Vote No. 77), Senate passed S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, after taking action on the following amendments proposed thereto: **Pages S4635–70**

Adopted:

Lott Amendment No. 3082 (to Amendment No. 3048), to extend the 1998 grandfather clause from 3 years to 4 years. **Pages S4657–58**

McCain (for Lautenberg) Amendment No. 3104 (to Amendment No. 3048), to require the Comptroller General to study the impact of the Internet Tax Freedom Act on State and local governments and on broadband deployment. **Page S4658**

McCain Amendment No. 3105 (to Amendment No. 3048), to provide for an exception for voice or similar services over the Internet. **Pages S4661–62**

McCain Amendment No. 3048, in the nature of a substitute. **Page S4666**

Rejected:

Feinstein Modified Amendment No. 3052 (to Amendment No. 3048), to extend the grandfather clauses for the term of the moratorium extension. (By 59 yeas to 37 nays (Vote No. 76), Senate tabled the amendment.) **Pages S4662–66**

During consideration of this measure today, Senate also took the following action:

By 40 yeas to 59 nays (Vote No. 73), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Daschle Amendment No. 3050 (listed below). **Page S4641**

By 55 yeas to 43 nays (Vote No. 74), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Domenici Amendment No. 3051 (to Amendment No. 3050) (listed below). **Page S4644**

By 64 yeas to 34 nays (Vote No. 75), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on McCain Amendment No. 3048 (listed above). **Page S4646**

Chair sustained a point of order that Daschle Amendment No. 3050 (to the language of the bill proposed to be stricken by Amendment No. 3048), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence, was not germane to the language of the bill proposed to be stricken by McCain Amendment No. 3048, and the amendment thus fell. **Page S4646**

Domenici Amendment No. 3051 (to Amendment No. 3050), to enhance energy conservation and research and development and to provide for security and diversity in the energy supply for the American people, fell when the point of order against Daschle Amendment No. 3050 was sustained. **Page S4646**

Surface Transportation Extension Act: Senate passed H.R. 4219, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page S4717**

Women's Sustainability Recovery Act: Committee on Small Business and Entrepreneurship was

discharged from further consideration of S. 2267, to amend section 29(k) of the Small Business Act to establish funding priorities for women's business centers, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S4719–21

Frist (for Snowe) Amendment No. 3106, to make a technical correction. **Page S4721**

Commending University of Minnesota Women's Ice Hockey: Senate agreed to S. Res. 346, commending the University of Minnesota Golden Gophers for winning the 2003–2004 National Collegiate Athletic Association Division I National Collegiate Women's Ice Hockey Championship. **Page S4721**

Commending Tom Lundregan: Senate agreed to S. Res. 347, to commend Senate Enrolling Clerk Thomas J. Lundregan on Thirty-Six Years of Service to the United States Government. **Pages S4721–22**

Soap Box Derby: Senate agreed to H. Con. Res. 376, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby. **Page S4722**

Jumpstart Our Business Strength (JOBS) Act—Agreement: A unanimous-consent agreement was reached providing for further consideration of S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, at 2 p.m., on Monday, May 3, 2004. **Page S4723**

Nominations Confirmed: Senate confirmed the following nominations:

30 Air Force nominations in the rank of general.

61 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Marine Corps, Navy. **Pages S4725–26**

Nominations Received: Senate received the following nominations:

Joyce A. Barr, of Washington, to be Ambassador to the Republic of Namibia.

William R. Brownfield, of Texas, to be Ambassador to the Bolivarian Republic of Venezuela.

June Carter Perry, of the District of Columbia, to be Ambassador to the Kingdom of Lesotho.

Charles P. Ries, of the District of Columbia, to be Ambassador to Greece.

R. Barrie Walkley, of California, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe.

Edward Brehm, of Minnesota, to be a Member of the Board of Directors of the African Development Foundation for a term expiring November 13, 2007.

2 Marine Corps nominations in the rank of general.

5 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy.

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Messages From the House: Page S4685

Measures Referred: Page S4685

Measures Read First Time: Page S4685

Executive Communications: Pages S4685–86

Executive Reports of Committee: Pages S4687–92

Additional Cosponsors: Pages S4693–94

Statements on Introduced Bills/Resolutions:

Pages S4694–S4710

Additional Statements: Pages S4683–85

Amendments Submitted: Pages S4710–16

Authority for Committees to Meet: Pages S4716–17

Record Votes: Five record votes were taken today. (Total—77) Pages S4641, S4644, S4646, S4666, S4669

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:24 p.m., until 1 p.m., on Monday, May 3, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4723.)

Committee Meetings

(Committees not listed did not meet)

INTELLECTUAL PROPERTY RIGHTS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary held a hearing to examine intellectual property rights, focusing on the problems of counterfeiting and piracy, receiving testimony from Jack Valenti, Motion Picture Association of America, Inc., Douglas Lowenstein, Entertainment Software Association, Robert W. Holleyman, II, Business Software Alliance, and Mitch Bainwol, Recording Industry Association of America, all of Washington, D.C.

Hearings recessed subject to the call of the Chair.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 3,379 nominations in the Army, Navy, Air Force, and Marine Corps.

TERRORIST FINANCING

Committee on Banking, Housing, and Urban Affairs: Committee held a hearing to examine the Treasury Department's role in the international war against

terrorist financing and financial crime, focusing on money laundering and counter-terrorist financing policies, sharing financial information with law enforcement and foreign counterparts, implementing economic sanctions, and enforcing relevant regulations and laws related to these missions, receiving testimony from Samuel W. Bodman, Deputy Secretary, William J. Fox, Director, Financial Crimes Enforcement Network, R. Richard Newcomb, Director, Office of Foreign Assets Control, and Nancy J. Jardini, Chief of Criminal Investigation, Internal Revenue Service, all of the Department of the Treasury.

Hearing recessed subject to the call of the Chair.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Romolo A. Bernardi, of New York, to be Deputy Secretary, Dennis C. Shea, of Virginia, to be Assistant Secretary for Policy Development and Research, and Cathy M. MacFarlane, of Virginia, to be Assistant Secretary for Public Affairs, all of the Department of Housing and Urban Development.

NOAA: BUDGET

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Fisheries, and Coast Guard concluded an oversight hearing to examine the President's proposed budget request for fiscal year 2005 for the National Oceanic and Atmospheric Administration (NOAA), after receiving testimony from Vice Admiral Conrad C. Lautenbacher, Jr., U.S. Navy (Ret.), Under Secretary of Commerce for Oceans and Atmosphere, and Administrator, NOAA.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. Con. Res. 100, celebrating 10 years of majority rule in the Republic of South Africa and recognizing the momentous social and economic achievements of South Africa since the institution of democracy in that country;

S. 2264, to require a report on the conflict in Uganda;

S. Res. 332, observing the tenth anniversary of the Rwandan Genocide of 1994;

S. Res. 344, welcoming the Prime Minister of Singapore, His Excellency Goh Chok Tong, on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its strong cooperation with the United States in the campaign against terrorism, its support in the reconstruction of Iraq and reaffirming the commitment of Congress to the continued expansion of friendship